

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

Mint Bank International, LLC and Guy Gentile Nigro

Plaintiffs,

v.

Office of the Commissioner of Financial Institutions of
Puerto Rico

Defendant.

Case 3:18-cv-01441-WGY

**RE: First Amendment,
Injunctive Relief**

**Expedited Hearing and
Consideration Requested**

MOTION REQUESTING SCHEDULING CONFERENCE UNDER LOC. CIV. R. 16

COME NOW, Plaintiffs, Mint Bank International, LLC and Guy Gentile Nigro, through their undersigned counsel, and respectfully allege and pray:

1. Plaintiffs filed their *Complaint* in this Honorable Court almost a year ago, on July 3rd, 2018. *See*, Docket No. 1.

2. After several procedural incidents, the defendant Office of the Commissioner of Financial Institutions of Puerto Rico (“Defendant” or “OCFI”) finally filed its *Answer to the Complaint* on June 23, 2019.

3. Rule 16 of the Local Rules of this Court state that “[a] Scheduling Conference may be ordered by a judge no later than sixty (60) days following the defendant’s first appearance after the filing of the complaint.”. Loc. Civ. R. 16.

4. Defendant’s first appearance was on August 1, 2018. *See*, Docket No. 11. Thus, the sixty (60) days following defendant’s first appearance have evidently elapsed.

5. Plaintiffs are eager to resolve the controversies of the case at bar and, in order to prove their allegations and causes of action, discovery must commence.

6. In light of the foregoing, this Honorable Court should order a scheduling conference because more than sixty (60) days have passed since Defendant first appeared before the Court, because ordering a scheduling conference will allow this Honorable Court to establish early and continuing control to ensure effective case management, and because it will allow for discovery to run in an orderly fashion.

7. The undersigned counsel proposes the dates of July 23, 30, and 31, 2019 and August 1 and 2, 2019 to conduct the Initial Scheduling Conference.¹

WHEREFORE, Plaintiffs respectfully request that the Court allow the instant motion and, consequently, sets a date for the scheduling conference as soon as is practicable.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 25th day of June, 2019.

WE HEREBY CERTIFY that on this same date the foregoing motion was filed with the Clerk of Court using the CM/ECF system.

/s/ Adam C. Ford

Adam C. Ford, Esq. (*admitted pro hac vice*)

FORD O'BRIEN LLP

575 Fifth Avenue, FL 17

New York, New York 10017

aford@fordobrien.com

Tel.: (212) 858-0040

Adsuar Muñoz Goyco

Seda & Pérez-Ochoa, PSC

208 Ponce de León Ave., Suite 1600

San Juan, PR 00918

Phone: (787) 281-1952 / Fax (787) 756-9010

/s/ Katarina Stipec-Rubio

Katarina Stipec Rubio, Esq.

USDCPR No. 206611

kstipec@amgprlaw.com

/s/ Alejandro Santiago-Martínez

Alejandro Santiago Martínez, Esq.

USDCPR No. 304002

asantiago@amgprlaw.com

Counsel for Plaintiffs

¹ The undersigned counsel tried to confirm opposing counsel's availability for these dates but, as of the time of filing of this motion, have not received an answer.